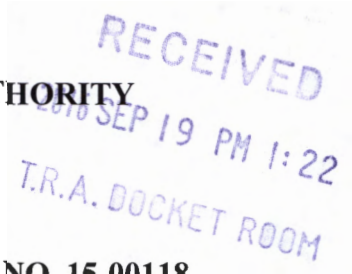


BEFORE THE TENNESSEE REGULATORY AUTHORITY



IN RE:

ALLEGED VIOLATIONS OF
THE STATUTES AND RULES
REGULATING WATER UTILITIES
BY MOYTOY, LLC

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)
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DOCKET NO. 15-00118

AMENDED PETITION

Comes now the Tennessee Regulatory Authority (“TRA” or “Authority”) Compliance Division (“Compliance”) and requests that the Hearing Officer appointed by the Directors on December 21, 2015, issue an Order requiring that MoyToy, LLC (“Respondent”) appear and show cause before the Authority why it should not be found liable for violations of the statutes and rules promulgated by the Authority to regulate water utilities. Compliance gives notice that at the hearing before the Authority that it will request that the Directors impose the maximum civil penalty allowed by law and require Respondent to refund any and all money received by Respondent illegally.

ALLEGATIONS OF FACT

1. Respondent either owned, operated, or owned and operated, the water system on Renegade Mountain in or near Crab Orchard, Tennessee as a public utility from an as yet unknown date until on or about May 1, 2011 when it sold the water system to Laurel Hills Condominiums Property Owners Association.¹
2. Respondent never held a Certificate of Public Convenience and Necessity issued by the Authority.
3. Upon information and belief Respondent charged customers for water service.

¹ *Petition of Laurel Hills Condominiums Property Owners Association for a Certificate of Public Convenience and Necessity*, p. 1 and Exhibit 1, April 10, 2012.

4. During the period of time that Respondent operated the water system they violated Tennessee Department of Environment and Conservation regulations resulting in customers receiving inadequate, unsafe, or improper water service.²
5. Respondent never filed an annual inspection report with the Authority nor did the Respondent ever pay an annual inspection fee.
6. Respondent never sought approval from the TRA before purchasing the water system.
7. Respondent never filed a tariff with the TRA.
8. Respondent never sought approval from the Authority for any financing or debt for the water system on Renegade Mountain.
9. The rate for water service that Respondent charged its customers was never approved by the TRA.
10. Respondent did not obtain TRA approval for the sale of the water system when it sold the system to Laurel Hills Condominiums Property Owners Association.
11. Upon information and belief Respondent did not maintain any customer, billing, or other records required by the Authority.

CAUSES OF ACTION

12. The facts alleged in paragraph 8 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-109.
13. The facts alleged in paragraph 4 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-114.
14. The facts alleged in paragraph 4 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-115.
15. The facts alleged in paragraphs 1 through 11 constitute an as yet undetermined number of

² *Id.* p. 2

violations of Tenn. Code Ann. §65-4-201.

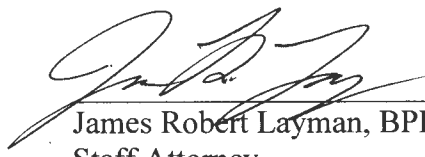
16. The facts alleged in paragraph 5 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-4-301.
17. The facts alleged in paragraphs 3, 7, and 9 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-5-101.
18. The facts alleged in paragraphs 3, 7, and 9 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-5-102.
19. The facts alleged in paragraphs 3, 7, and 9 constitute an as yet undetermined number of violations of Tenn. Code Ann. §65-5-103.
20. The facts alleged in paragraph 11 constitute an as yet undetermined number of violations of Tenn. Comp. R. & Regs. 1220-4-3-.17.
21. The facts alleged in paragraph 4 constitute an as yet undetermined number of violations of Tenn. Comp. R. & Regs. 1220-4-3-.40.

PRAYER FOR RELIEF

22. The Compliance Division requests that the Hearing Officer open a Show Cause Proceeding against Respondent and issue a Scheduling Order that requires the parties to quickly complete any discovery and get this matter to hearing as soon as practical.

Respectfully submitted,

TRA PARTY STAFF


James Robert Layman, BPR No. 30662
Staff Attorney
Tennessee Regulatory Authority
502 Deaderick Street, 4th Floor

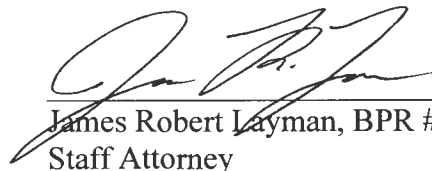
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 19th day of September, 2016, an exact copy of the foregoing was served on the following parties by United States Postal Service, postage prepaid to:

Scott D. Hall
105 Bruce Street
Sevierville, Tennessee 37862
Attorney for Moy Toy, LLC

Vance Broemel
Office of the Tennessee Attorney General and Reporter
Consumer Protection and Advocate Division
Post Office Box 20207
Nashville, Tennessee 37207



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